



United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

May 15, 2012

Michel Simon
MuckRock News
Dept MR 1098
P.O. Box 55819
Boston, MA 02205-5819

RE: Your Freedom of Information Act (FOIA) request, 2012-FNS-01579-F

Dear **Mr. Simon:**

This letter responds to your Freedom of Information Act (FOIA) request, tracking number **2012-FNS-01579-F**, dated **February 14, 2012**, which was received at **FNS** on **May 15, 2012**. You requested the following information:

“Contract and other documents resulting from solicitation award number AG-3198-D-11-0050 USDA/FNS awarded to IMPAQ International in the amount of \$739,802.

The project scope is to encompass SNAP purchase data and is slated for completed by December 2013. This was the original RFI for SNAP Purchase Data that was awarded to IMPAQ: <https://www.fbo.gov/index?s=opportunity&mode=form&id=b1e45e30605fc5dddf33cf73ef3138bc&tab=ivl&tabmode=list>”

Your request was referred to the Contract Management Branch and a search was conducted for records that are responsive to your request. A total of **(22)** pages of records responsive to your request were identified.

Of the above, **(12)** pages are being released to you in full. Certain pages have been withheld in full or in part pursuant to several Exemptions (b)(4) of the FOIA, to wit: **(0)** pages have been withheld in full pursuant to Exemption (b)(4); and **(10)** pages have been withheld in part pursuant to Exemption (b)(4).

The above-referenced records are hereby released to you by the agency .

The following information provides justifications and precedent for our withholding of information under the applicable FOIA exemption:

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Trade Secrets, Commercial and Financial Information, and Confidential Information – Exemption 5 U.S.C. §552(b)(4)

Exemption (b)(4) of the FOIA protects “trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential. 5 U.S.C. §552(b)(4) (2006), *amended by* the OPEN Government Act of 2007, Pub. L. No. 100-175, 121 Stat. 2524. This exemption is intended to protect the interests of both the government and submitters of information. See, e.g., *Nat’l Parks & Conservation Ass’n v. Morton*, 498 F. 2d 765, 767-70 (D.C. Cir. 1974) (concluding that the legislative history of the FOIA “firmly supports an inference that Exemption (b)(4) is intended for the benefit of persons who supply information as well as the agencies which collect it”).

If you are dissatisfied with the action on this request, you may appeal by writing to the Administrator, Food and Nutrition Service, 3101 Park Center Drive Room 302, Alexandria, VA 22302, within 45 days from the date of this letter. The phrase “FOIA APPEAL” should be placed in capital letters on the front of the envelope containing the appeal.

Sincerely,

Todd Walls

FNS

U.S. Department of Agriculture

Enclosure: Requested records